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09/883,997	06/20/2001	Kenji Nakagawa	203870US6	2411	
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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			EXAMINER		
1940 DUKE ST ALEXANDRIA		TENTONI, LEO B			
•			ART UNIT	PAPER NUMBER	
			1732	5	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Office Action Summary Examiner Les B. Tentoni 1732 Art Unit Les B. Tentoni 1732 Art Unit Les B. Tentoni 1732 As HORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extension of time may be available under the provisional of 37 F87 113(60). In no creen, however, may a religible timely filled If the period or early specified above, he maximum shallow period will expire a period of the communication of the 17 HB period for reply specified above, he maximum shallow period will expire 3 KM, ONOTHIS from the mailing date of this communication of the 17 HB period for reply specified them the filler members will be shall be shallowed in the 18 the members and shallowed to the communication. Any reply reloaded by the Office that the filler members and the period of the communication. Any reply reloaded by the Office that the filler members and the provision of the communication of the communication. Any reply reloaded them office the shallowed the communication of the					mre.
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Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-3 and 6-8, drawn to a material holding implement, classified in class 53, subclass 266.1.
- II. Claims 4, 5 and 9-12, drawn to a process of reshaping a material holding implement, classified in class 264, subclass 294.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed can be made by another and materially different process such as a process of molding and/or shaping the material holding implement as desired (without having to reshape the material holding implement).
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo B. Tentoni whose telephone number is (703) 308-3834. The examiner can normally be reached on Monday - Friday (6:30 A.M. - 3:00 P.M.).

If attempts to reach the examiner by telephone are.

unsuccessful, the examiner's supervisor, Richard D. Crispino can
be reached on (703) 308-3853. The fax phone numbers for the

organization where this application or proceeding is assigned are

(703) 872-9310 for regular communications and (703) 872-9311 for

After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

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Leo B. Tentoni

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Leo B. Tentoni Primary Examiner Art Unit 1732

lbt June 4, 2003